

AMENDED IN ASSEMBLY MAY 10, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 447**

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**Introduced by Assembly Members Huffman and Fletcher  
(Principal coauthor: Assembly Member Roger Hernández)**

February 15, 2011

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An act to amend Sections 81006, 81009.5, 82048.7, 84100, 84101, 84103, 84200, 84200.5, 84200.6, 84203, 84203.3, 84204, 84204.5, 84211, 84215, 84218, 84220, 84252, 84300, 84305.5, 84310, 84602, 84604, 84605, ~~85301, 85302, 85303, 85316, 85400, 87103, 87406, 89503,~~ and 91013 of, to amend and renumber Sections 82036 and 82036.5 of, and to repeal Sections ~~83124,~~ 84200.7, 84200.8, 84202.3, 84202.5, 84202.7, and 84203.5 of, the Government Code, relating to the Political Reform Act of 1974.

### LEGISLATIVE COUNSEL'S DIGEST

AB 447, as amended, Huffman. Political Reform Act of 1974.

(1) The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing, conflicts of interests of public officials, and the lobbying industry, and further establishes the Fair Political Practices Commission to administer and enforce the provisions of the act. Among its provisions, the act requires each campaign committee to file a statement of organization upon qualifying as a committee, and further requires elected officers, candidates, and committees to file periodic campaign statements reporting contributions received and expenditures made during specified reporting periods.

Specifically, the act requires each elected officer, candidate, and committee to file a semiannual statement for each 6-month period, and further requires that preelection statements be filed at various specified times depending upon the type of election and the identity of the filer. The act also requires the filing of supplemental preelection statements, independent expenditure reports, and campaign statements by committees that make contributions of \$10,000 or more in odd-numbered years. Under the act, a late contribution report or a late independent expenditure report is required to be filed within 24 hours if a contribution or independent expenditure is made before an election but after the closing date of the last campaign statement, and a committee is required to file a report online or electronically within 10 business days each time it makes a contribution or expenditure of \$5,000 or more to support or oppose a ballot measure.

This bill would instead require each elected *state* officer,; *each* candidate, *for elective state office*; and *each elected officer, candidate, or committee that receives contributions or makes expenditures totaling \$50,000 or more* to file a quarterly statement for each calendar quarter in each odd-numbered year and a monthly statement for each calendar month in each even-numbered year, except that a committee that has received contributions of less than \$500 and made expenditures of less than \$500 in a reporting period would be permitted to file instead a statement of inactivity for that reporting period. The bill would also provide that there be only one type of preelection statement, to be referred to as a 16-day report, for all elections and all filers, to be filed no later than 16 days before an election for the period ending 21 days before the election. The bill would repeal provisions requiring the filing of supplemental preelection statements, independent expenditure reports, and odd-numbered year committee statements, and the bill would require a 90-day contribution report or a 90-day independent expenditure report to be filed within 24 hours if the contribution or independent expenditure is made within 90 days before the date of an election. Under the bill, a committee would be required to file a report online or electronically within 24 hours each time it makes a contribution or expenditure of \$25,000 or more to support or oppose a ballot measure. In addition, the bill would require specified elected officers, candidates, and committees to file a copy of each campaign statement with the elections official of any jurisdiction in which the filer made expenditures of \$25,000 or more during the reporting period.

(2) Existing law requires that each filer of a campaign statement include in the campaign statement specified information, including the amount of contributions received or expenditures made during the reporting period and specified identifying information about each person who has made contributions totaling \$100 or more.

This bill would also require that each filer include in the campaign statement specified information about a 3rd party if the filer knows or has reason to know that contributions from 2 or more persons have been made at the behest of that 3rd party and the cumulative amount of those contributions, plus the amounts the 3rd party has contributed to the filer directly, if any, equals or exceeds the maximum amount that the 3rd party would be permitted to contribute to the filer.

(3) Existing law prohibits a local government agency from enacting an ordinance imposing filing requirements additional to or different from those imposed by the act, unless the additional or different filing requirements apply only to a candidate or ballot measure being voted upon only in that jurisdiction or to a city or county general purpose committee active only in that jurisdiction.

This bill would also permit a local government agency to enact an ordinance imposing additional or different filing requirements if those requirements apply only to a general purpose committee that spends \$25,000 or more in the jurisdiction of that local government agency.

~~(4) Existing law imposes specified limits on the amounts that may be contributed for purposes of an election to specified candidates by persons and small contributor committees, as defined, and on the amounts that may be contributed to campaign committees and political party committees. Existing law further imposes specified limits on the amounts that may be contributed to specified office holders after an election for the purpose of paying expenses associated with holding office. In addition, existing law sets specified limits on campaign expenditures for those candidates for elective state office who have voluntarily accepted the expenditure limits. Under existing law, all of the foregoing limits are adjusted biennially by the Commission to reflect any increase or decrease in the Consumer Price Index.~~

~~This bill would set all of those contribution and expenditure limits at the amounts as most recently adjusted by the Commission and would repeal the authority of the Commission to make any further adjustments to those limits.~~

~~(5)~~

(4) Existing law requires that every campaign committee have a treasurer who is responsible for authorizing any expenditure made by or on behalf of the committee. The treasurer is required to be designated on the committee's statement of organization, and a committee cannot accept a contribution or make an expenditure at a time when there is a vacancy in the office of the treasurer.

This bill would require each treasurer, prior to his or her designation as a treasurer or within 15 business days after that designation, to complete an online certification course that addresses the statutes and regulations governing the financing of campaigns and the duties and responsibilities of a treasurer. The bill would permit the Commission to charge each applicant for certification a fee not to exceed \$50 for the costs of administering the certification program, which could be paid from campaign funds, and the bill would require each treasurer to verify under penalty of perjury that he or she has been certified under the certification program. The bill would also require a treasurer to renew his or her certification every 2 years and would further require the Secretary of State to maintain on his or her Internet Web site a list of each treasurer who is currently certified.

(6)

(5) Existing law provides that regulation of the operation of automatic dialing-announcing devices, as defined, is within the jurisdiction of the Public Utilities Commission.

This bill would permit the Fair Political Practices Commission to regulate the content of a prerecorded telephonic message that is disseminated by means of an automatic dialing-announcing device and that advocates support of, or opposition to, a candidate, ballot measure, or both.

(7)

(6) Existing law imposes various requirements on slate mailers, defined as mass mailings that support or oppose multiple candidates or ballot measures, and on slate mailer organizations that produce and distribute slate mailers. Specifically, existing law requires a slate mailer organization to file a semiannual campaign statement for each 6-month period. In addition, existing law requires that each slate mailer disclose specified information, in a specified manner, about the slate mailer organization and identify each candidate and ballot measure that has paid to appear in the slate mailer.

This bill would instead require a slate mailer organization to file a quarterly statement for each calendar quarter in each odd-numbered

year and a monthly statement for each calendar month in each even-numbered year, except that a slate mailer organization that has received payments of less than \$500 and made expenditures of less than \$500 in a reporting period would be permitted to file instead a statement of inactivity for that reporting period. The bill would also permit the Commission to impose, by regulation, other requirements regarding the contents of a slate mailer.

~~(8) Existing law imposes specified restrictions on gifts that may be received by public officials. Specifically, existing law prohibits a public official from accepting gifts from, or from influencing a governmental decision that will have a material financial effect on, any single source in a calendar year with a total value of more than an amount as adjusted biennially by the Commission to reflect any increase or decrease in the Consumer Price Index.~~

~~This bill would set the limit on gifts from most sources at \$250 per calendar year and would repeal the authority of the Commission to make any further adjustments to that limit.~~

~~(9) Existing law prohibits a Member of the Legislature, for a period of one year after leaving office, from acting as an agent or attorney or otherwise representing, for compensation, any other person by making a formal or informal appearance or making an oral or written communication before the Legislature, a legislative committee, a Member of the Legislature, or an officer or employee of the Legislature for the purpose of influencing legislative action.~~

~~This bill would impose those prohibitions on an employee of the Legislature for a period of one year after leaving his or her employment with the Legislature.~~

~~(10)~~

(7) Existing law imposes penalties on a person who files a campaign statement or report after the applicable deadline in the amount of \$10 per day up to a maximum of \$100 or the amount being reported in the statement or report, whichever is greater.

This bill would increase those penalties to \$25 per day up to a maximum of \$750 or 150% of the amount reported in the statement or report, whichever is greater. The bill would also make those penalties applicable to a campaign statement or report submitted on behalf of a committee that does not have a currently certified treasurer. In addition, the bill would prohibit a candidate or elected officer from using campaign funds to pay a fine imposed on him or her for tardy filing of a statement of economic interests.

~~(11)~~

(8) Existing law requires the Secretary of State to develop online or electronic filing processes for the filing of campaign statements and reports, and further requires that candidates, general purpose committees, and other entities file required statements and reports online or electronically if the total amount of contributions or expenditures being reported exceed a specified threshold. Existing law prohibits a fee or charge from being collected for the filing of a campaign statement or report, except as provided for under the act.

This bill would require the Secretary of State and the Commission to jointly work toward the development of a single, statewide electronic filing system that consolidates the filing of all state and local campaign statements and reports into one searchable database that meets specified criteria. The bill would require the Secretary of State and the Commission to develop a feasibility study report for the electronic filing system by December 31, 2013, to develop a funding plan, to engage in fundraising, and to complete work on the electronic filing system by December 31, 2017. In addition, the bill would permit the Secretary of State to collect a fee or charge for the filing of a campaign statement or report required under the act, provided that the amounts collected are used only for, and do not exceed the costs of, development and maintenance of the electronic filing system.

~~(12)~~

(9) Existing law makes a knowing or willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties.

This bill would impose a state-mandated local program by creating additional crimes.

~~(13)~~

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~(14)~~

(11) The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 81006 of the Government Code is  
2     amended to read:  
3     81006. (a) Except as provided in subdivision (b) or elsewhere  
4     in this title, no fee or charge shall be collected by any officer for  
5     the filing of any report or statement or for the forms upon which  
6     reports or statements are to be prepared.  
7     (b) The Secretary of State may collect a fee or charge for the  
8     filing of a report or statement required by Chapter 4 (commencing  
9     with Section 84100), provided that the amounts collected are used  
10    only for, and do not exceed the costs of, development and  
11    maintenance of a system for online or electronic filing of reports  
12    and statements required by that chapter.  
13    SEC. 2. Section 81009.5 of the Government Code is amended  
14    to read:  
15    81009.5. (a) A local government agency that has enacted,  
16    enacts, amends, or repeals an ordinance or other provision of law  
17    affecting campaign contributions and expenditures shall file a copy  
18    of the action with the Commission.  
19    (b) Notwithstanding Section 81013, a local government agency  
20    shall not enact an ordinance imposing filing requirements additional  
21    to or different from those set forth in Chapter 4 (commencing with  
22    Section 84100) for elections held in its jurisdiction, except as  
23    follows:  
24    (1) A local government agency may enact an ordinance imposing  
25    additional or different filing requirements if the additional or  
26    different filing requirements apply only to the candidates seeking  
27    election in that jurisdiction, their controlled committees or  
28    committees formed or existing primarily to support or oppose their  
29    candidacies, and to committees formed or existing primarily to  
30    support or oppose a candidate or to support or oppose the  
31    qualification of, or passage of, a local ballot measure that is being  
32    voted on only in that jurisdiction, and to city or county general  
33    purpose committees active only in that city or county, respectively.  
34    (2) A local government agency may enact an ordinance imposing  
35    additional or different filing requirements if the additional or

1 different filing requirements apply only to a general purpose  
2 committee that spends twenty-five thousand dollars (\$25,000) or  
3 more in the jurisdiction of that local government agency.

4 (c) It is the intent of the Legislature that the Secretary of State  
5 and the Commission make efforts to coordinate with each local  
6 government agency that proposes to enact, or has enacted, an  
7 ordinance pursuant to subdivision (b) to harmonize, to the extent  
8 possible, the provisions of the proposed or enacted ordinance with  
9 the provisions of this title.

10 SEC. 3. Section 82036 of the Government Code is amended  
11 and renumbered to read:

12 82043.3. “Ninety-day contribution” means any of the following:

13 (a) A contribution, including a loan, that totals in the aggregate  
14 one thousand dollars (\$1,000) or more and is made to or received  
15 by a candidate, a controlled committee, or a committee formed or  
16 existing primarily to support or oppose a candidate or measure  
17 within 90 days before the date of the election at which the candidate  
18 or measure is to be voted on. For purposes of the Board of  
19 Administration of the Public Employees’ Retirement System and  
20 the Teachers’ Retirement Board, “the date of the election” is the  
21 deadline to return ballots.

22 (b) A contribution, including a loan, that totals in the aggregate  
23 one thousand dollars (\$1,000) or more and is made to or received  
24 by a political party committee, as defined in Section 85205, within  
25 90 days before the date of a state election.

26 SEC. 4. Section 82036.5 of the Government Code is amended  
27 and renumbered to read:

28 82043.5. “Ninety-day independent expenditure” means an  
29 independent expenditure that totals in the aggregate one thousand  
30 dollars (\$1,000) or more and is made for or against a specific  
31 candidate or measure involved in an election within 90 days before  
32 the date of the election. For purposes of the Board of  
33 Administration of the Public Employees’ Retirement System and  
34 the Teachers’ Retirement Board, “the date of the election” is the  
35 deadline to return ballots.

36 SEC. 5. Section 82048.7 of the Government Code is amended  
37 to read:

38 82048.7. (a) “Sponsored committee” means a committee, other  
39 than a candidate controlled committee, that has one or more



1 sponsors. Any person, except a candidate or other individual, may  
2 sponsor a committee.

3 (b) A person sponsors a committee if any of the following apply:

4 (1) The committee receives 80 percent or more of its  
5 contributions from the person or its members, officers, employees,  
6 or shareholders.

7 (2) The person collects contributions for the committee by use  
8 of payroll deductions or dues from its members, officers, or  
9 employees.

10 (3) The person, alone or in combination with other organizations,  
11 provides all or nearly all of the administrative services for the  
12 committee.

13 ~~SEC. 6. Section 83124 of the Government Code is repealed.~~

14 ~~SEC. 7.~~

15 SEC. 6. Section 84100 of the Government Code is amended  
16 to read:

17 84100. (a) Every committee shall have a treasurer. No  
18 expenditure shall be made by or on behalf of a committee without  
19 the authorization of the treasurer or that of his or her designated  
20 agents. No contribution or expenditure shall be accepted or made  
21 by or on behalf of a committee at a time when there is a vacancy  
22 in the office of treasurer.

23 (b) (1) Prior to being designated as a treasurer pursuant to  
24 Section 84102 or 84103, or not later than 15 business days after  
25 that designation, a treasurer shall complete an online certification  
26 course, designed and administered by the Commission, that  
27 addresses the statutes and regulations governing the financing of  
28 campaigns, and the duties and responsibilities of a treasurer, under  
29 this title. The course shall require each applicant for certification  
30 to verify, under penalty of perjury, his or her identity by means of  
31 an identifier determined by the Commission.

32 (2) The Commission may charge each applicant for certification  
33 pursuant to this subdivision a fee not to exceed fifty dollars (\$50).  
34 The fee may be paid with, or reimbursed from, campaign funds,  
35 as defined in Section 89511.

36 (3) Each treasurer shall verify, under penalty of perjury, on a  
37 statement of organization required by Section 84102 or on an  
38 amendment to a statement of organization required by Section  
39 84103, that he or she has been certified pursuant to this subdivision.

1 (4) A treasurer shall renew his or her certification pursuant to  
2 this subdivision every two years.

3 (5) The Secretary of State shall maintain on his or her Internet  
4 Web site a list of treasurers who are currently certified pursuant  
5 to this subdivision.

6 ~~SEC. 8.~~

7 *SEC. 7.* Section 84101 of the Government Code is amended  
8 to read:

9 84101. (a) A committee that is a committee pursuant to  
10 subdivision (a) of Section 82013 shall file a statement of  
11 organization. The committee shall file the original of the statement  
12 of organization with the Secretary of State and shall also file a  
13 copy of the statement of organization with the local filing officer,  
14 if any, with whom the committee is required to file the originals  
15 of its campaign reports pursuant to Section 84215. The original  
16 and copy of the statement of organization shall be filed within 10  
17 days after the committee has qualified as a committee. The  
18 Secretary of State shall assign a number to each committee that  
19 files a statement of organization and shall notify the committee of  
20 the number. The Secretary of State shall send a copy of statements  
21 filed pursuant to this section to the county elections official of each  
22 county that he or she deems appropriate. A county elections official  
23 who receives a copy of a statement of organization from the  
24 Secretary of State pursuant to this section shall send a copy of the  
25 statement to the clerk of each city in the county that he or she  
26 deems appropriate.

27 (b) In addition to filing the statement of organization as required  
28 by subdivision (a), if a committee qualifies as a committee pursuant  
29 to subdivision (a) of Section 82013 before the date of an election  
30 in connection with which the committee is required to file  
31 preelection statements, but after the closing date of the last  
32 campaign statement required to be filed before the election pursuant  
33 to Section 84200.5 or 84200.9, the committee shall file, by  
34 facsimile transmission, guaranteed overnight delivery, or personal  
35 delivery within 24 hours of qualifying as a committee, the  
36 information required to be reported in the statement of organization.  
37 The information required by this subdivision shall be filed with  
38 the filing officer with whom the committee is required to file the  
39 originals of its campaign reports pursuant to Section 84215.

1 (c) If an independent expenditure committee qualifies as a  
2 committee pursuant to subdivision (a) of Section 82013 during the  
3 time period described in Section 82043.5 and makes independent  
4 expenditures of one thousand dollars (\$1,000) or more to support  
5 or oppose a candidate or candidates for office, the committee shall  
6 file, by facsimile transmission, online transmission, guaranteed  
7 overnight delivery, or personal delivery within 24 hours of  
8 qualifying as a committee, the information required to be reported  
9 in the statement of organization. The information required by this  
10 subdivision shall be filed with the filing officer with whom the  
11 committee is required to file the originals of its campaign reports  
12 pursuant to Section 84215, and shall be filed at all locations  
13 required for the candidate or candidates supported or opposed by  
14 the independent expenditures. The filings required by this  
15 subdivision are in addition to filings that may be required by  
16 Section 84204.

17 (d) For purposes of this section, in calculating whether one  
18 thousand dollars (\$1,000) in contributions has been received,  
19 payments for a filing fee or for a statement of qualifications to  
20 appear in a sample ballot shall not be included if these payments  
21 have been made from the candidate's personal funds.

22 ~~SEC. 9.~~

23 *SEC. 8.* Section 84103 of the Government Code is amended  
24 to read:

25 84103. (a) Whenever there is a change in the information  
26 contained in a statement of organization, an amendment shall be  
27 filed within 10 days to reflect the change. The committee shall file  
28 the original of the amendment with the Secretary of State and shall  
29 also file a copy of the amendment with the local filing officer, if  
30 any, with whom the committee is required to file the originals of  
31 its campaign reports pursuant to Section 84215.

32 (b) In addition to filing an amendment to a statement of  
33 organization as required by subdivision (a), a committee as defined  
34 in subdivision (a) of Section 82013 shall, by facsimile transmission,  
35 online transmission, guaranteed overnight delivery, or personal  
36 delivery within 24 hours, notify the filing officer with whom it is  
37 required to file the originals of its campaign reports pursuant to  
38 Section 84215 when the change requiring the amendment occurs  
39 before the date of an election in connection with which the  
40 committee is required to file a preelection statement, but after the

1 closing date of the last preelection statement required to be filed  
2 for the election pursuant to Section 84200.5 or 84200.9, if any of  
3 the following information is changed:

- 4 (1) The name of the committee.
- 5 (2) The name of the treasurer or other principal officers.
- 6 (3) The name of any candidate or committee by which the  
7 committee is controlled or with which it acts jointly.

8 The notification shall include the changed information, the date  
9 of the change, the name of the person providing the notification,  
10 and the committee's name and identification number.

11 A committee may file a notification online only if the appropriate  
12 filing officer is capable of receiving the notification in that manner.

13 ~~SEC. 10.~~

14 *SEC. 9.* Section 84200 of the Government Code is amended  
15 to read:

16 84200. (a) (1) Except as provided in paragraphs (2), (3), (4),  
17 and (5), ~~elected officers, candidates, and committees pursuant to~~  
18 ~~subdivision (a) of Section 82013 state officers; candidates for~~  
19 ~~elective state office; and elected officers, candidates, and~~  
20 ~~committees pursuant to subdivision (a) of Section 82013 that~~  
21 ~~receive contributions totaling fifty thousand dollars (\$50,000) or~~  
22 ~~more or that make expenditures totaling fifty thousand dollars~~  
23 ~~(\$50,000) or more shall file statements for each calendar quarter~~  
24 ~~in each odd-numbered year as follows:~~

25 (A) No later than April 15 for the quarter ending March 31.

26 (B) No later than July 15 for the quarter ending June 30.

27 (C) No later than October 15 for the quarter ending September  
28 30.

29 (D) No later than January 15 for the quarter ending December  
30 31.

31 (2) A candidate who, during the past three months, has filed a  
32 declaration pursuant to Section 84206 is not required to file  
33 quarterly statements for that calendar year.

34 (3) Elected officers whose salaries are less than two hundred  
35 dollars (\$200) a month, judges, judicial candidates, and their  
36 controlled committees shall not file quarterly statements pursuant  
37 to this subdivision for any three-month period in which they have  
38 not made or received any contributions or made any expenditures.

39 (4) A judge who is not listed on the ballot for reelection to, or  
40 recall from, any elective office during a calendar year shall not

1 file quarterly statements pursuant to this subdivision for any  
2 three-month period in that year if both of the following apply:

3 (A) The judge has not received any contributions.

4 (B) The only expenditures made by the judge during the calendar  
5 year are contributions from the judge's personal funds to other  
6 candidates or committees totaling less than one thousand dollars  
7 (\$1,000).

8 (5) A committee that has received contributions of less than  
9 five hundred dollars (\$500) and made expenditures of less than  
10 five hundred dollars (\$500) during a calendar quarter may file a  
11 statement of inactivity for that quarter, as prescribed by the  
12 Commission, in lieu of the statement required by paragraph (1).

13 (b) (1) Except as provided in paragraphs (2), (3), (4), and (5),  
14 ~~electd officers, candidates, and committees pursuant to subdivision~~  
15 ~~(a) of Section 82013~~ *state officers; candidates for elective state*  
16 *office; and elected officers, candidates, and committees pursuant*  
17 *to subdivision (a) of Section 82013 that receive contributions*  
18 *totaling fifty thousand dollars (\$50,000) or more or that make*  
19 *expenditures totaling fifty thousand dollars (\$50,000) or more*  
20 shall file statements for each calendar month in each  
21 even-numbered year. A statement filed pursuant to this subdivision  
22 shall be filed within 15 days after the close of the reporting period.

23 (2) A candidate who, during the past month, has filed a  
24 declaration pursuant to Section 84206 is not required to file  
25 monthly statements for that calendar year.

26 (3) Elected officers whose salaries are less than two hundred  
27 dollars (\$200) a month, judges, judicial candidates, and their  
28 controlled committees shall not file monthly statements pursuant  
29 to this subdivision for any month in which they have not made or  
30 received any contributions or made any expenditures.

31 (4) A judge who is not listed on the ballot for reelection to, or  
32 recall from, any elective office during a calendar year shall not  
33 file monthly statements pursuant to this subdivision for any month  
34 in that year if both of the following apply:

35 (A) The judge has not received any contributions.

36 (B) The only expenditures made by the judge during the calendar  
37 year are contributions from the judge's personal funds to other  
38 candidates or committees totaling less than one thousand dollars  
39 (\$1,000).

(5) A committee that has received contributions of less than five hundred dollars (\$500) and made expenditures of less than five hundred dollars (\$500) during a calendar month may file a statement of inactivity for that month, as prescribed by the Commission, in lieu of the statement required by paragraph (1).

(c) (1) *Except as provided in paragraphs (2), (3), (4), and (5), elected officers, candidates, and committees pursuant to subdivision (a) of Section 82013 other than those identified in subdivisions (a) and (b) shall file semiannual statements each year no later than July 15 for the period ending June 30, and no later than January 15 for the period ending December 31.*

(2) *A candidate who, during the past six months, has filed a declaration pursuant to Section 84206 is not required to file semiannual statements for that calendar year.*

(3) *Elected officers whose salaries are less than two hundred dollars (\$200) a month, judges, judicial candidates, and their controlled committees shall not file semiannual statements pursuant to this subdivision for any six-month period in which they have not made or received any contributions or made any expenditures.*

(4) *A judge who is not listed on the ballot for reelection to, or recall from, any elective office during a calendar year shall not file semiannual statements pursuant to this subdivision for any six-month period in that year if both of the following apply:*

(A) *The judge has not received any contributions.*

(B) *The only expenditures made by the judge during the calendar year are contributions from the judge's personal funds to other candidates or committees totaling less than one thousand dollars (\$1,000).*

(5) *A committee that has received contributions of less than five hundred dollars (\$500) and made expenditures of less than five hundred dollars (\$500) during a six-month period may file a statement of inactivity for that six-month period, as prescribed by the Commission, in lieu of the statement required by paragraph (1).*

~~(e)~~

(d) *All committees pursuant to subdivision (b) or (c) of Section 82013 shall file campaign statements each year no later than July 15 for the period ending June 30, and no later than January 15 for the period ending December 31, if they have made contributions or independent expenditures, including payments to a slate mailer*

1 organization, during the six-month period before the closing date  
2 of the statements.

3 ~~SEC. 11.~~

4 *SEC. 10.* Section 84200.5 of the Government Code is amended  
5 to read:

6 84200.5. In addition to the campaign statements required by  
7 Section 84200, elected officers, candidates, and committees shall  
8 file preelection statements as follows:

9 (a) Except as provided in subdivision (b), each of the following  
10 shall file, by electronic means, guaranteed overnight delivery  
11 service, or personal delivery, a preelection statement, to be referred  
12 to as a “16-day report,” no later than 16 days before an election  
13 for the period ending 21 days before the election:

14 (1) All candidates for elective office being voted upon in the  
15 election, their controlled committees, and committees primarily  
16 formed to support or oppose a candidate or measure being voted  
17 upon in the election.

18 (2) A state or county general purpose committee formed  
19 pursuant to subdivision (a) of Section 82013, other than a political  
20 party committee as defined in Section 85205, if it makes  
21 contributions or independent expenditures totaling five hundred  
22 dollars (\$500) or more in connection with a state or county election,  
23 respectively, during the period covered by the 16-day report. A  
24 state or county general purpose committee formed pursuant to  
25 subdivision (c) of Section 82013 is not required to file the 16-day  
26 report specified by this subdivision.

27 (3) A political party committee, as defined in Section 85205, if  
28 it receives contributions totaling one thousand dollars (\$1,000) or  
29 more, or makes contributions or independent expenditures totaling  
30 five hundred dollars (\$500) or more, in connection with a state  
31 election during the period covered by the 16-day report.

32 (4) A city general purpose committee, if it makes contributions  
33 or independent expenditures totaling five hundred dollars (\$500)  
34 or more in connection with a city election during the period covered  
35 by the 16-day report.

36 (b) (1) During an election period for the Board of  
37 Administration of the Public Employees’ Retirement System or  
38 the Teachers’ Retirement Board, all candidates for these boards,  
39 their controlled committees, and committees primarily formed to

1 support or oppose the candidates shall file the preelection  
2 statements specified in Section 84200.9.

3 (2) During an election period for the Board of Administration  
4 of the Public Employees' Retirement System or the Teachers'  
5 Retirement Board, a state or county general purpose committee  
6 formed pursuant to subdivision (a) of Section 82013 shall file the  
7 preelection statements specified in Section 84200.9 if it makes  
8 contributions or independent expenditures totaling five hundred  
9 dollars (\$500) or more during the period covered by the preelection  
10 statement to support or oppose a candidate, or a committee  
11 primarily formed to support or oppose a candidate, on the ballot  
12 for the Board of Administration of the Public Employees'  
13 Retirement System or the Teachers' Retirement Board. A state or  
14 county general purpose committee formed pursuant to subdivision  
15 (b) or (c) of Section 82013 is not required to file the statements  
16 specified in Section 84200.9.

17 ~~SEC. 12.~~

18 *SEC. 11.* Section 84200.6 of the Government Code is amended  
19 to read:

20 84200.6. In addition to the campaign statements required by  
21 Sections 84200 and 84200.5, all candidates and committees shall  
22 file the following statements and reports:

23 (a) Ninety-day contribution reports when required by Section  
24 84203.

25 (b) Ninety-day independent expenditure reports when required  
26 by Section 84204.

27 ~~SEC. 13.~~

28 *SEC. 12.* Section 84200.7 of the Government Code is repealed.

29 ~~SEC. 14.~~

30 *SEC. 13.* Section 84200.8 of the Government Code is repealed.

31 ~~SEC. 15.~~

32 *SEC. 14.* Section 84202.3 of the Government Code is repealed.

33 ~~SEC. 16.~~

34 *SEC. 15.* Section 84202.5 of the Government Code is repealed.

35 ~~SEC. 17.~~

36 *SEC. 16.* Section 84202.7 of the Government Code is repealed.

37 ~~SEC. 18.~~

38 *SEC. 17.* Section 84203 of the Government Code is amended  
39 to read:



1     84203. (a) Each candidate or committee that makes or receives  
2 a 90-day contribution, as defined in Section 82043.3, shall report  
3 the 90-day contribution to each office with which the candidate  
4 or committee is required to file its next campaign statement  
5 pursuant to Section 84215. The candidate or committee that makes  
6 the 90-day contribution shall report his or her full name and street  
7 address and the full name and street address of the person to whom  
8 the 90-day contribution has been made, the office sought if the  
9 recipient is a candidate, or the ballot measure number or letter if  
10 the recipient is a committee primarily formed to support or oppose  
11 a ballot measure, and the date and amount of the 90-day  
12 contribution. The recipient of the 90-day contribution shall report  
13 his or her full name and street address, the date and amount of the  
14 90-day contribution, and whether the contribution was made in  
15 the form of a loan. The recipient shall also report the full name of  
16 the contributor, his or her street address, occupation, and the name  
17 of his or her employer, or if self-employed, the name of the  
18 business.

19     (b) A 90-day contribution shall be reported by facsimile  
20 transmission, guaranteed overnight delivery, or personal delivery  
21 within 24 hours of the time it is made in the case of the candidate  
22 or committee that makes the contribution and within 24 hours of  
23 the time it is received in the case of the recipient. If a 90-day  
24 contribution is required to be reported to the Secretary of State,  
25 the report to the Secretary of State shall be by online or electronic  
26 transmission only. A 90-day contribution shall be reported on  
27 subsequent campaign statements without regard to reports filed  
28 pursuant to this section.

29     (c) A 90-day contribution need not be reported nor shall it be  
30 deemed accepted if it is not cashed, negotiated, or deposited and  
31 is returned to the contributor within 24 hours of its receipt.

32     (d) A report filed pursuant to this section shall be in addition to  
33 any other campaign statement required to be filed by this chapter.

34     (e) The report required pursuant to this section is not required  
35 to be filed by a candidate or committee that has disclosed the  
36 90-day contribution pursuant to subdivision (a) or (b) of Section  
37 85309.

38     ~~SEC. 19.~~

39     *SEC. 18.* Section 84203.3 of the Government Code is amended  
40 to read:

1     84203.3. (a) A candidate or committee that makes a 90-day  
2     contribution that is an in-kind contribution shall notify the recipient  
3     in writing of the value of the in-kind contribution. The notice shall  
4     be received by the recipient within 24 hours of the time the  
5     contribution is made.

6     (b) Nothing in this section shall relieve a candidate or committee  
7     that makes a 90-day in-kind contribution or the recipient of a  
8     90-day in-kind contribution from the requirement to file 90-day  
9     contribution reports pursuant to Section 84203. However, a report  
10    filed by the recipient of a 90-day in-kind contribution shall be  
11    deemed timely filed if it is received by the filing officer within 48  
12    hours of the time the contribution is received.

13    ~~SEC. 20.~~

14    ~~SEC. 19.~~ Section 84203.5 of the Government Code is repealed.

15    ~~SEC. 21.~~

16    ~~SEC. 20.~~ Section 84204 of the Government Code is amended  
17    to read:

18    84204. (a) A committee that makes a 90-day independent  
19    expenditure, as defined in Section 82043.5, shall report the 90-day  
20    independent expenditure by facsimile transmission, guaranteed  
21    overnight delivery, or personal delivery within 24 hours of the  
22    time it is made. If a 90-day independent expenditure is required  
23    to be reported to the Secretary of State, the report to the Secretary  
24    of State shall be by online or electronic transmission only. A 90-day  
25    independent expenditure shall be reported on subsequent campaign  
26    statements without regard to reports filed pursuant to this section.

27    (b) A committee that makes a 90-day independent expenditure  
28    shall report its full name and street address, as well as the name,  
29    office, and district of the candidate if the report is related to a  
30    candidate, or if the report is related to a measure, the number or  
31    letter of the measure, the jurisdiction in which the measure is to  
32    be voted upon, and the amount and the date, as well as a description  
33    of goods or services for which the 90-day independent expenditure  
34    was made. In addition to the information required by this  
35    subdivision, a committee that makes a 90-day independent  
36    expenditure shall include with its 90-day independent expenditure  
37    report the information required by paragraphs (1) to (5), inclusive,  
38    of subdivision (f) of Section 84211, covering the period from the  
39    day after the closing date of the last campaign report filed to the  
40    date of the 90-day independent expenditure, or if the committee

1 has not previously filed a campaign statement, covering the period  
2 from the previous January 1 to the date of the 90-day independent  
3 expenditure. No information required by paragraphs (1) to (5),  
4 inclusive, of subdivision (f) of Section 84211 that is required to  
5 be reported with a 90-day independent expenditure report by this  
6 subdivision is required to be reported on more than one 90-day  
7 independent expenditure report.

8 (c) A committee that makes a 90-day independent expenditure  
9 shall file a 90-day independent expenditure report in the places  
10 where it would be required to file campaign statements under this  
11 article as if it were formed or existing primarily to support or  
12 oppose the candidate or measure for or against which it is making  
13 the 90-day independent expenditure.

14 (d) A report filed pursuant to this section shall be in addition to  
15 any other campaign statement required to be filed by this article.

16 (e) Expenditures that have been disclosed by candidates and  
17 committees pursuant to Section 85500 are not required to be  
18 disclosed pursuant to this section.

19 ~~SEC. 22.~~

20 *SEC. 21.* Section 84204.5 of the Government Code is amended  
21 to read:

22 84204.5. (a) In addition to any other report required by this  
23 title, a committee pursuant to subdivision (a) of Section 82013 that  
24 is required to file reports pursuant to Section 84605 shall file online  
25 or electronically with the Secretary of State each time it makes  
26 contributions totaling twenty-five thousand dollars (\$25,000) or  
27 more, or each time it makes independent expenditures totaling  
28 twenty-five thousand dollars (\$25,000) or more, to support or  
29 oppose the qualification or passage of a single state ballot measure.  
30 The report shall be filed within 24 hours of making the  
31 contributions or independent expenditures and shall contain all of  
32 the following:

33 (1) The full name, street address, and identification number of  
34 the committee.

35 (2) The number or letter of the measure, if the measure has  
36 qualified for the ballot and has been assigned a number or letter;  
37 the title of the measure, if the measure has not been assigned a  
38 number or letter but has been issued a title by the Attorney General;  
39 or the subject of the measure, if the measure has not been assigned

1 a number or letter and has not been issued a title by the Attorney  
2 General.

3 (3) In the case of a contribution, the date and amount of the  
4 contribution and the name, address, and identification number of  
5 the committee to which the contribution was made. In addition,  
6 the report shall include the information required by paragraphs (1)  
7 to (5), inclusive, of subdivision (f) of Section 84211, regarding  
8 contributions or loans received from a person described in that  
9 subdivision, covering the period from the day after the closing  
10 date of the last campaign report filed to the date of the contribution  
11 requiring a report under this section, or if the committee has not  
12 previously filed a campaign statement, covering the period from  
13 the previous January 1 to the date of the contribution requiring a  
14 report under this section. No information described in paragraphs  
15 (1) to (5), inclusive, of subdivision (f) of Section 84211 that is  
16 required to be reported pursuant to this subdivision is required to  
17 be reported in more than one report provided for in this subdivision  
18 for each contribution or loan received from a person described in  
19 subdivision (f) of Section 84211.

20 (4) In the case of an independent expenditure, the date, amount,  
21 and a description of the goods or services for which the expenditure  
22 was made. In addition, the report shall include the information  
23 required by paragraphs (1) to (5), inclusive, of subdivision (f) of  
24 Section 84211 regarding contributions or loans received from a  
25 person described in that subdivision, covering the period from the  
26 day after the closing date of the last campaign report filed to the  
27 date of the expenditure, or if the committee has not previously  
28 filed a campaign statement, covering the period from the previous  
29 January 1 to the date of the expenditure. No information described  
30 in paragraphs (1) to (5), inclusive, of subdivision (f) of Section  
31 84211 that is required to be reported pursuant to this subdivision  
32 is required to be reported in more than one report provided for in  
33 this subdivision for each contribution or loan received from a  
34 person described in subdivision (f) of Section 84211.

35 (b) Reports required by this section are not required to be filed  
36 by a committee primarily formed to support or oppose the  
37 qualification or passage of a state ballot measure for expenditures  
38 made on behalf of the ballot measure or measures for which it is  
39 formed.

1 (c) Independent expenditures that have been disclosed by a  
2 committee pursuant to Section 84204 or 85500 are not required to  
3 be disclosed pursuant to this section.

4 ~~SEC. 23.~~

5 *SEC. 22.* Section 84211 of the Government Code is amended  
6 to read:

7 84211. Each campaign statement required by this article shall  
8 contain all of the following information:

9 (a) The total amount of contributions received during the period  
10 covered by the campaign statement and the total cumulative amount  
11 of contributions received.

12 (b) The total amount of expenditures made during the period  
13 covered by the campaign statement and the total cumulative amount  
14 of expenditures made.

15 (c) The total amount of contributions received during the period  
16 covered by the campaign statement from persons who have given  
17 a cumulative amount of one hundred dollars (\$100) or more.

18 (d) The total amount of contributions received during the period  
19 covered by the campaign statement from persons who have given  
20 a cumulative amount of less than one hundred dollars (\$100).

21 (e) The balance of cash and cash equivalents on hand at the  
22 beginning and the end of the period covered by the campaign  
23 statement.

24 (f) If the cumulative amount of contributions (including loans)  
25 received from a person is one hundred dollars (\$100) or more and  
26 a contribution or loan has been received from that person during  
27 the period covered by the campaign statement, all of the following:

28 (1) His or her full name.

29 (2) His or her street address.

30 (3) His or her occupation.

31 (4) The name of his or her employer, or if self-employed, the  
32 name of the business.

33 (5) The date and amount received for each contribution received  
34 during the period covered by the campaign statement and, if the  
35 contribution is a loan, the interest rate for the loan.

36 (6) The cumulative amount of contributions.

37 (g) If the cumulative amount of loans received from or made to  
38 a person is one hundred dollars (\$100) or more, and a loan has  
39 been received from or made to a person during the period covered

- 1 by the campaign statement, or is outstanding during the period  
2 covered by the campaign statement, all of the following:
- 3 (1) His or her full name.
  - 4 (2) His or her street address.
  - 5 (3) His or her occupation.
  - 6 (4) The name of his or her employer, or if self-employed, the  
7 name of the business.
  - 8 (5) The original date and amount of each loan.
  - 9 (6) The due date and interest rate of the loan.
  - 10 (7) The cumulative payment made or received to date at the end  
11 of the reporting period.
  - 12 (8) The balance outstanding at the end of the reporting period.
  - 13 (9) The cumulative amount of contributions.
  - 14 (h) For each person, other than the filer, who is directly,  
15 indirectly, or contingently liable for repayment of a loan received  
16 or outstanding during the period covered by the campaign  
17 statement, all of the following:
  - 18 (1) His or her full name.
  - 19 (2) His or her street address.
  - 20 (3) His or her occupation.
  - 21 (4) The name of his or her employer, or if self-employed, the  
22 name of the business.
  - 23 (5) The amount of his or her maximum liability outstanding.
  - 24 (i) The total amount of expenditures made during the period  
25 covered by the campaign statement to persons who have received  
26 one hundred dollars (\$100) or more.
  - 27 (j) The total amount of expenditures made during the period  
28 covered by the campaign statement to persons who have received  
29 less than one hundred dollars (\$100).
  - 30 (k) For each person to whom an expenditure of one hundred  
31 dollars (\$100) or more has been made during the period covered  
32 by the campaign statement, all of the following:
  - 33 (1) His or her full name.
  - 34 (2) His or her street address.
  - 35 (3) The date and amount of each expenditure.
  - 36 (4) A brief description of the consideration for which each  
37 expenditure was made.
  - 38 (5) In the case of an expenditure that is a contribution to a  
39 candidate, elected officer, or committee or an independent  
40 expenditure to support or oppose a candidate or measure, in

1 addition to the information required in paragraphs (1) to (4),  
2 inclusive, the date of the contribution or independent expenditure,  
3 the cumulative amount of contributions made to a candidate,  
4 elected officer, or committee, or the cumulative amount of  
5 independent expenditures made relative to a candidate or measure;  
6 the full name of the candidate, and the office and district for which  
7 he or she seeks nomination or election, or the number or letter of  
8 the measure; and the jurisdiction in which the measure or candidate  
9 is voted upon.

10 (6) The information required in paragraphs (1) to (4), inclusive,  
11 for each person, if different from the payee, who has provided  
12 consideration for an expenditure of five hundred dollars (\$500) or  
13 more during the period covered by the campaign statement.

14 For purposes of subdivisions (i), (j), and (k) only, the terms  
15 “expenditure” or “expenditures” mean any individual payment or  
16 accrued expense, unless it is clear from surrounding circumstances  
17 that a series of payments or accrued expenses are for a single  
18 service or product.

19 (l) In the case of a controlled committee, an official committee  
20 of a political party, or an organization formed or existing primarily  
21 for political purposes, the amount and source of any miscellaneous  
22 receipt.

23 (m) If a committee is listed pursuant to subdivision (f), (g), (h),  
24 (k), (l), or (p), the number assigned to the committee by the  
25 Secretary of State shall be listed, or if no number has been assigned,  
26 the full name and street address of the treasurer of the committee.

27 (n) In a campaign statement filed by a candidate who is a  
28 candidate in both a state primary and general election, his or her  
29 controlled committee, or a committee primarily formed to support  
30 or oppose such a candidate, the total amount of contributions  
31 received and the total amount of expenditures made for the period  
32 January 1 to June 30, inclusive, and the total amount of  
33 contributions received and expenditures made for the period July  
34 1 to December 31, inclusive.

35 (o) The full name, residential or business address, and telephone  
36 number of the filer, or in the case of a campaign statement filed  
37 by a committee defined by subdivision (a) of Section 82013, the  
38 name, street address, and telephone number of the committee and  
39 of the committee treasurer. In the case of a committee defined by  
40 subdivision (b) or (c) of Section 82013, the name that the filer uses

1 on campaign statements shall be the name by which the filer is  
2 identified for other legal purposes or any name by which the filer  
3 is commonly known to the public.

4 (p) If the campaign statement is filed by a candidate, the name,  
5 street address, and treasurer of any committee of which he or she  
6 has knowledge that has received contributions or made  
7 expenditures on behalf of his or her candidacy and whether the  
8 committee is controlled by the candidate.

9 (q) A contribution need not be reported, nor shall it be deemed  
10 accepted, if it is not cashed, negotiated, or deposited and is returned  
11 to the contributor before the closing date of the campaign statement  
12 on which the contribution would otherwise be reported.

13 (r) If a committee primarily formed for the qualification or  
14 support of, or opposition to, an initiative or ballot measure is  
15 required to report an expenditure to a business entity pursuant to  
16 subdivision (k) and 50 percent or more of the business entity is  
17 owned by a candidate or person controlling the committee, by an  
18 officer or employee of the committee, or by a spouse of any of  
19 these individuals, the committee's campaign statement shall also  
20 contain, in addition to the information required by subdivision (k),  
21 that person's name, the relationship of that person to the committee,  
22 and a description of that person's ownership interest or position  
23 with the business entity.

24 (s) If a committee primarily formed for the qualification or  
25 support of, or opposition to, an initiative or ballot measure is  
26 required to report an expenditure to a business entity pursuant to  
27 subdivision (k), and a candidate or person controlling the  
28 committee, an officer or employee of the committee, or a spouse  
29 of any of these individuals is an officer, partner, consultant, or  
30 employee of the business entity, the committee's campaign  
31 statement shall also contain, in addition to the information required  
32 by subdivision (k), that person's name, the relationship of that  
33 person to the committee, and a description of that person's  
34 ownership interest or position with the business entity.

35 (t) If the campaign statement is filed by a committee, as defined  
36 in subdivision (b) or (c) of Section 82013, information sufficient  
37 to identify the nature and interests of the filer, including:

38 (1) If the filer is an individual, the name and address of the  
39 filer's employer, if any, or his or her principal place of business



1 if the filer is self-employed, and a description of the business  
2 activity in which the filer or his or her employer is engaged.

3 (2) If the filer is a business entity, a description of the business  
4 activity in which it is engaged.

5 (3) If the filer is an industry, trade, or professional association,  
6 a description of the industry, trade, or profession that it represents,  
7 including a specific description of any portion or faction of the  
8 industry, trade, or profession that the association exclusively or  
9 primarily represents.

10 (4) If the filer is not an individual, business entity, or industry,  
11 trade, or professional association, a statement of the person's nature  
12 and purposes, including a description of any industry, trade,  
13 profession, or other group with a common economic interest that  
14 the person principally represents or from which its membership  
15 or financial support is principally derived.

16 (u) If the filer knows or has reason to know that contributions  
17 from two or more persons have been made at the behest of a third  
18 party, and the cumulative amount of those contributions plus the  
19 amounts the third party has contributed to the filer directly, if any,  
20 equals or exceeds the maximum amount that the third party would  
21 be permitted to contribute to the filer under this title, all of the  
22 information required by subdivision (f) with respect to that third  
23 party and the contributions made at the behest of that third party.

24 ~~SEC. 24.~~

25 *SEC. 23.* Section 84215 of the Government Code is amended  
26 to read:

27 84215. All candidates and elected officers and their controlled  
28 committees, except as provided in subdivisions (d) and (e), shall  
29 file one copy of the campaign statements required by Section 84200  
30 with the elections official of the county in which the candidate or  
31 elected official is domiciled, as defined in subdivision (b) of  
32 Section 349 of the Elections Code. In addition, campaign  
33 statements shall be filed at the following places:

34 (a) Statewide elected officers, including members of the State  
35 Board of Equalization; Members of the Legislature; Supreme Court  
36 justices, court of appeal justices, and superior court judges;  
37 candidates for those offices and their controlled committees;  
38 committees formed or existing primarily to support or oppose these  
39 candidates, elected officers, justices and judges, or statewide  
40 measures, or the qualification of state ballot measures; and all state

1 general purpose committees and filers not specified in subdivisions  
2 (b) to (e), inclusive, shall file a campaign statement by online or  
3 electronic means, as specified in Section 84605, and shall file the  
4 original and one copy of the campaign statement in paper format  
5 with the Secretary of State.

6 (b) Elected officers in jurisdictions other than legislative  
7 districts, State Board of Equalization districts, or appellate court  
8 districts that contain parts of two or more counties, candidates for  
9 these offices, their controlled committees, and committees formed  
10 or existing primarily to support or oppose candidates or local  
11 measures to be voted upon in one of these jurisdictions shall file  
12 the original and one copy with the elections official of the county  
13 with the largest number of registered voters in the jurisdiction.

14 (c) County elected officers, candidates for these offices, their  
15 controlled committees, committees formed or existing primarily  
16 to support or oppose candidates or local measures to be voted upon  
17 in any number of jurisdictions within one county, other than those  
18 specified in subdivision (d), and county general purpose  
19 committees shall file the original and one copy with the elections  
20 official of the county.

21 (d) City elected officers, candidates for city office, their  
22 controlled committees, committees formed or existing primarily  
23 to support or oppose candidates or local measures to be voted upon  
24 in one city, and city general purpose committees shall file the  
25 original and one copy with the clerk of the city and are not required  
26 to file with the local elections official of the county in which they  
27 are domiciled.

28 (e) Elected members of the Board of Administration of the  
29 Public Employees' Retirement System, elected members of the  
30 Teachers' Retirement Board, candidates for these offices, their  
31 controlled committees, and committees formed or existing  
32 primarily to support or oppose these candidates or elected members  
33 shall file the original and one copy with the Secretary of State, and  
34 a copy shall be filed at the relevant board's office in Sacramento.  
35 These elected officers, candidates, and committees need not file  
36 with the elections official of the county in which they are  
37 domiciled.

38 (f) An elected officer, candidate, or committee that is required  
39 to file a campaign statement in places designated in subdivisions  
40 (a) to (c), inclusive, shall also file one copy of the statement with

1 the elections official of any jurisdiction in which the filer made  
2 expenditures of twenty-five thousand dollars (\$25,000) or more  
3 during the reporting period.

4 (g) Notwithstanding any other provision of this section, a  
5 committee, candidate, or elected officer is not required to file more  
6 than the original and one copy, or one copy, of a campaign  
7 statement with any one county elections official or city clerk or  
8 with the Secretary of State.

9 (h) If a committee is required to file campaign statements  
10 required by Section 84200 or 84200.5 in places designated in  
11 subdivisions (a) to (d), inclusive, it shall continue to file these  
12 statements in those places, in addition to any other places required  
13 by this title, until the end of the calendar year.

14 ~~SEC. 25.~~

15 *SEC. 24.* Section 84218 of the Government Code is amended  
16 to read:

17 84218. (a) (1) Except as provided in paragraph (2), a slate  
18 mailer organization shall file campaign statements for each calendar  
19 quarter in each odd-numbered year as follows:

20 (A) No later than April 15 for the quarter ending March 31.

21 (B) No later than July 15 for the quarter ending June 30.

22 (C) No later than October 15 for the quarter ending September  
23 30.

24 (D) No later than January 15 for the quarter ending December  
25 31.

26 (2) A slate mailer organization that has received payments of  
27 less than five hundred dollars (\$500) and made expenditures of  
28 less than five hundred dollars (\$500) during a calendar quarter  
29 may file a statement of inactivity for that quarter, as prescribed by  
30 the Commission, in lieu of the statement required by paragraph  
31 (1).

32 (b) (1) Except as provided in paragraph (2), a slate mailer  
33 organization shall file campaign statements for each calendar month  
34 in each even-numbered year. A statement filed pursuant to this  
35 subdivision shall be filed within 15 days after the close of the  
36 reporting period.

37 (2) A slate mailer organization that has received payments of  
38 less than five hundred dollars (\$500) and made expenditures of  
39 less than five hundred dollars (\$500) during a calendar month may

1 file a statement of inactivity for that month, as prescribed by the  
2 Commission, in lieu of the statement required by paragraph (1).

3 (c) In addition to the statements required by subdivision (a), a  
4 slate mailer organization that produces a slate mailer supporting  
5 or opposing candidates or measures being voted on in an election  
6 shall file the 16-day report specified in subdivision (a) of Section  
7 84200.5 if, during the period covered by the 16-day report, the  
8 slate mailer organization receives payments totaling five hundred  
9 dollars (\$500) or more from any person for the support of or  
10 opposition to candidates or ballot measures in one or more slate  
11 mailers, or expends five hundred dollars (\$500) or more to produce  
12 one or more slate mailers.

13 ~~(e)~~

14 (d) A slate mailer organization shall file two copies of its  
15 campaign reports with the clerk of the county in which it is  
16 domiciled. A slate mailer organization is domiciled at the address  
17 listed on its statement of organization unless it is domiciled outside  
18 California, in which case its domicile shall be deemed to be Los  
19 Angeles County for purposes of this section.

20 In addition, slate mailer organizations shall file campaign reports  
21 as follows:

22 (1) A slate mailer organization that produces one or more slate  
23 mailers supporting or opposing candidates or measures voted on  
24 in a state election, or in more than one county, shall file campaign  
25 reports in the same manner as state general purpose committees  
26 pursuant to subdivision (a) of Section 84215.

27 (2) A slate mailer organization that produces one or more slate  
28 mailers supporting or opposing candidates or measures voted on  
29 in only one county, or in more than one jurisdiction within one  
30 county, shall file campaign reports in the same manner as county  
31 general purpose committees pursuant to subdivision (c) of Section  
32 84215.

33 (3) A slate mailer organization that produces one or more slate  
34 mailers supporting or opposing candidates or measures voted on  
35 in only one city shall file campaign reports in the same manner as  
36 city general purpose committees pursuant to subdivision (d) of  
37 Section 84215.

38 (4) Notwithstanding the above, no slate mailer organization  
39 shall be required to file more than the original and one copy, or

1 two copies, of a campaign report with any one county or city clerk  
2 or with the Secretary of State.

3 ~~SEC. 26.~~

4 *SEC. 25.* Section 84220 of the Government Code is amended  
5 to read:

6 84220. If a slate mailer organization receives a payment of two  
7 thousand five hundred dollars (\$2,500) or more for purposes of  
8 supporting or opposing a candidate or ballot measure in a slate  
9 mailer, and the payment is received at a time when, if the payment  
10 were a contribution it would be considered a 90-day contribution,  
11 then the slate mailer organization shall report the payment in the  
12 manner set forth in Section 84203 for candidates and committees  
13 when reporting 90-day contributions received. The slate mailer  
14 organization shall, in addition to reporting the information required  
15 by Section 84203, identify the candidates or measures whose  
16 support or opposition is being paid for, in whole or in part, by each  
17 90-day payment.

18 ~~SEC. 27.~~

19 *SEC. 26.* Section 84252 of the Government Code is amended  
20 to read:

21 84252. A committee primarily formed to support or oppose a  
22 LAFCO proposal shall file all statements required under this  
23 chapter except that, in lieu of the statements required by Section  
24 84200, the committee shall file monthly campaign statements from  
25 the time circulation of a petition begins until a measure is placed  
26 on the ballot or, if a measure is not placed on the ballot, until the  
27 committee is terminated pursuant to Section 84214. The committee  
28 shall file an original and one copy of each statement on the 15th  
29 day of each calendar month, covering the prior calendar month,  
30 with the clerk of the county in which the measure may be voted  
31 on. If the petition results in a measure that is placed on the ballot,  
32 the committee thereafter shall file campaign statements required  
33 by this chapter.

34 ~~SEC. 28.~~

35 *SEC. 27.* Section 84300 of the Government Code is amended  
36 to read:

37 84300. (a) A contribution of one hundred dollars (\$100) or  
38 more shall not be made or received in cash.

39 A cash contribution shall not be deemed received if it is not  
40 negotiated or deposited and is returned to the contributor before

1 the closing date of the campaign statement on which the  
2 contribution would otherwise be reported. If a cash contribution,  
3 other than a 90-day contribution, as defined in Section 82043.3,  
4 is negotiated or deposited, it shall not be deemed received if it is  
5 refunded within 72 hours of receipt. In the case of a 90-day  
6 contribution, as defined in Section 82043.3, it shall not be deemed  
7 received if it is returned to the contributor within 48 hours of  
8 receipt.

9 (b) An expenditure of one hundred dollars (\$100) or more shall  
10 not be made in cash.

11 (c) A contribution of one hundred dollars (\$100) or more, other  
12 than an in-kind contribution, shall be made only in the form of a  
13 written instrument containing the name of the donor and the name  
14 of the payee and drawn from the account of the donor or the  
15 intermediary, as defined in Section 84302.

16 (d) The value of all in-kind contributions of one hundred dollars  
17 (\$100) or more shall be reported, in writing, to the recipient upon  
18 the request, in writing, of the recipient.

19 ~~SEC. 29.~~

20 *SEC. 28.* Section 84305.5 of the Government Code is amended  
21 to read:

22 84305.5. (a) A slate mailer organization or committee primarily  
23 formed to support or oppose one or more ballot measures shall not  
24 send a slate mailer unless the slate mailer complies with all of the  
25 following:

26 (1) The name, street address, and city of the slate mailer  
27 organization or committee primarily formed to support or oppose  
28 one or more ballot measures are shown on the outside of each piece  
29 of slate mail and on at least one of the inserts included with each  
30 piece of slate mail in no less than 8-point roman type, which shall  
31 be in a color or print that contrasts with the background so as to  
32 be easily legible. A post office box may be stated in lieu of a street  
33 address if the street address of the slate mailer organization or the  
34 committee primarily formed to support or oppose one or more  
35 ballot measures is a matter of public record with the Secretary of  
36 State's Political Reform Division.

37 (2) At the top or bottom of the front side or surface of at least  
38 one insert, or at the top or bottom of one side or surface of a  
39 postcard or other self-mailer, there is a notice in at least 8-point  
40 roman boldface type, which shall be in a color or print that

1 contrasts with the background so as to be easily legible, and in a  
2 printed or drawn box and set apart from any other printed matter.  
3 The notice shall consist of the following statement:  
4

5  
6 NOTICE TO VOTERS

7  
8 THIS DOCUMENT WAS PREPARED BY (name of slate  
9 mailer organization or committee primarily formed to support  
10 or oppose one or more ballot measures), NOT AN OFFICIAL  
11 POLITICAL PARTY ORGANIZATION. Appearance in this  
12 mailer does not necessarily imply endorsement of others  
13 appearing in this mailer, nor does it imply endorsement of, or  
14 opposition to, any issues set forth in this mailer. Appearance  
15 is paid for and authorized by each candidate and ballot  
16 measure that is designated by an \*.  
17

18 (3) (A) Each candidate and each ballot measure that has paid  
19 to appear in the slate mailer is designated by an \*. A candidate or  
20 ballot measure that has not paid to appear in the slate mailer shall  
21 not be designated by an \*.

22 (B) The \* required by this paragraph shall be of the same type  
23 size, type style, color or contrast, and legibility as is used for the  
24 name of the candidate, or the ballot measure name or number and  
25 position advocated, to which the \* designation applies, except that  
26 in no case shall the \* be required to be larger than 10-point boldface  
27 type. The designation shall immediately follow the name of the  
28 candidate, or the name or number and position advocated on the  
29 ballot measure, where the designation appears in the slate of  
30 candidates and measures. If there is no slate listing, the designation  
31 shall appear at least once in at least 8-point boldface type,  
32 immediately following the name of the candidate, or the name or  
33 number and position advocated on the ballot measure.

34 (4) The name of a candidate appearing in the slate mailer who  
35 is a member of a political party differing from the political party  
36 that the mailer appears by representation or indicia to represent is  
37 accompanied, immediately below the name, by the party  
38 designation of the candidate, in no less than 9-point roman type,  
39 which shall be in a color or print that contrasts with the background

1 so as to be easily legible. The designation shall not be required in  
2 the case of candidates for nonpartisan office.

3 (b) For purposes of the designations required by paragraph (3)  
4 of subdivision (a), the payment of any sum made reportable by  
5 subdivision (c) of Section 84219 by or at the behest of a candidate  
6 or committee whose name or position appears in the mailer, to the  
7 slate mailer organization or committee primarily formed to support  
8 or oppose one or more ballot measures, shall constitute a payment  
9 to appear, requiring the \* designation. The payment shall also be  
10 deemed to constitute authorization to appear in the mailer.

11 (c) The name, street address, and city of the slate mailer  
12 organization or committee primarily formed to support or oppose  
13 one or more ballot measures, as required by paragraph (1) of  
14 subdivision (a), and the notice required by paragraph (2) of  
15 subdivision (a) may appear on the same side or surface of an insert  
16 in the slate mailer.

17 (d) The Commission may, by regulation, impose other  
18 requirements regarding the content of a slate mailer in addition to  
19 those contained in this section.

20 ~~SEC. 30.~~

21 *SEC. 29.* Section 84310 of the Government Code is amended  
22 to read:

23 84310. (a) A candidate, committee, or slate mailer organization  
24 may not expend campaign funds, directly or indirectly, to pay for  
25 telephone calls that are similar in nature and aggregate 500 or more  
26 in number, made by an individual, or individuals, or by electronic  
27 means and that advocate support of, or opposition to, a candidate,  
28 ballot measure, or both, unless during the course of each call the  
29 name of the organization that authorized or paid for the call is  
30 disclosed to the recipient of the call. Unless the organization that  
31 authorized the call and in whose name it is placed has filing  
32 obligations under this title, and the name announced in the call  
33 either is the full name by which the organization or individual is  
34 identified in any statement or report required to be filed under this  
35 title or is the name by which the organization or individual is  
36 commonly known, the candidate, committee, or slate mailer  
37 organization that paid for the call shall be disclosed. This section  
38 shall not apply to telephone calls made by the candidate, the  
39 campaign manager, or individuals who are volunteers.



1 (b) Campaign and ballot measure committees are prohibited  
2 from contracting with any phone bank vendor that does not disclose  
3 the information required to be disclosed by subdivision (a).

4 (c) A candidate, committee, or slate mailer organization that  
5 pays for telephone calls as described in subdivision (a) shall  
6 maintain a record of the script of the call for the period of time set  
7 forth in Section 84104. If any of the calls qualifying under  
8 subdivision (a) were recorded messages, a copy of the recording  
9 shall be maintained for that period.

10 (d) Notwithstanding Article 1 (commencing with Section 2871)  
11 of Chapter 10 of Part 2 of Division 1 of the Public Utilities Code,  
12 the Commission may regulate the content of a prerecorded  
13 telephonic message that is disseminated by means of an automatic  
14 dialing-announcing device and that advocates support of, or  
15 opposition to, a candidate, ballot measure, or both.

16 ~~SEC. 31.~~

17 *SEC. 30.* Section 84602 of the Government Code is amended  
18 to read:

19 84602. To implement the Legislature's intent, the Secretary of  
20 State, in consultation with the Commission, notwithstanding any  
21 other provision of this code, shall do all of the following:

22 (a) Develop online and electronic filing processes for use by  
23 persons and entities specified in Sections 84604 and 84605 that  
24 are required to file statements and reports with the Secretary of  
25 State's office pursuant to Chapter 4 (commencing with Section  
26 84100) and Chapter 6 (commencing with Section 86100). Those  
27 processes shall enable a user to comply with all the disclosure  
28 requirements of this title and shall include, at a minimum, the  
29 following:

30 (1) A means or method whereby filers subject to this chapter  
31 may submit required filings free of charge. Any means or method  
32 developed pursuant to this provision shall not provide any  
33 additional or enhanced functions or services that exceed the  
34 minimum requirements necessary to fulfill the disclosure provisions  
35 of this title. At least one means or method shall be made available  
36 no later than December 31, 2002.

37 (2) The definition of a nonproprietary standardized record format  
38 or formats using industry standards for the transmission of the data  
39 that is required of those persons and entities specified in  
40 subdivision (a) of Section 84604 and Section 84605 and that

1 conforms with the disclosure requirements of this title. The  
2 Secretary of State shall hold public hearings prior to development  
3 of the record format or formats as a means to ensure that affected  
4 entities have an opportunity to provide input into the development  
5 process. The format or formats shall be made public no later than  
6 July 1, 1999, to ensure sufficient time to comply with the  
7 requirements of this chapter.

8 (b) Accept test files from software vendors and others wishing  
9 to file reports electronically, for the purpose of determining whether  
10 the file format is in compliance with the standardized record format  
11 developed pursuant to subdivision (a) and is compatible with the  
12 Secretary of State's system for receiving the data. A list of the  
13 software and service providers who have submitted acceptable test  
14 files shall be published by the Secretary of State and made available  
15 to the public. Acceptably formatted files shall be submitted by a  
16 filer in order to meet the requirements of this chapter.

17 (c) Develop a system that provides for the online or electronic  
18 transfer of the data specified in this section utilizing  
19 telecommunications technology that assures the integrity of the  
20 data transmitted and that creates safeguards against efforts to  
21 tamper with or subvert the data.

22 (d) Make all the data filed available on the Internet in an easily  
23 understood format that provides the greatest public access. The  
24 data shall be made available free of charge and as soon as possible  
25 after receipt. All 90-day contribution and 90-day independent  
26 expenditure reports, as defined by Sections 84203 and 84204,  
27 respectively, shall be made available on the Internet within 24  
28 hours of receipt. The data made available on the Internet shall not  
29 contain the street name and building number of the persons or  
30 entity representatives listed on the electronically filed forms or  
31 any bank account number required to be disclosed pursuant to this  
32 title.

33 (e) Develop a procedure for filers to comply with the  
34 requirement that they sign under penalty of perjury pursuant to  
35 Section 81004.

36 (f) Maintain all filed data online for 10 years after the date it is  
37 filed, and then archive the information in a secure format.

38 (g) Provide assistance to those seeking public access to the  
39 information.

(h) Implement sufficient technology to seek to prevent unauthorized alteration or manipulation of the data.

(i) Provide the Commission with necessary information to enable it to assist agencies, public officials, and others, with the compliance with and administration of this title.

(j) Report to the Legislature on the implementation and development of the online and electronic filing and disclosure requirements of this chapter. The report shall include an examination of system security, private security issues, software availability, compliance costs to filers, use of the filing system and software provided by the Secretary of State, and other issues relating to this chapter, and shall recommend appropriate changes if necessary. In preparing the report, the Commission may present to the Secretary of State and the Legislature its comments regarding this chapter as it relates to the duties of the Commission and suggest appropriate changes if necessary. There shall be one report due before the system is operational as set forth in Section 84603, one report due no later than June 1, 2002, and one report due no later than January 31, 2003.

(k) Review the current filing and disclosure requirements of this chapter and report to the Legislature, no later than June 1, 2005, recommendations on revising these requirements so as to promote greater reliance on electronic and online submissions.

~~SEC. 32.~~

*SEC. 31.* Section 84604 of the Government Code is amended to read:

84604. (a) The Secretary of State shall implement an online or electronic disclosure program in connection with the 2000 state primary election and the lobbying activities specified in paragraph (4). Entities specified in paragraphs (1), (2), and (3) shall commence online or electronic disclosure with the first preelection statement filed in connection with the 2000 statewide direct primary election for the period ending January 22, 2000, and shall continue to disclose online or electronically all required reports and statements up to and including the semiannual statement for the period ending June 30, 2000. Entities specified in paragraph (4) shall commence online or electronic disclosure with the quarterly report for the period ending March 31, 2000, and shall continue to disclose online or electronically all required reports and statements up to and including the quarterly report for the

1 period ending June 30, 2000. The entities subject to this section  
2 are the following:

3 (1) Any candidate, including appellate court and Supreme Court  
4 candidates and officeholders, committee, or other persons who are  
5 required, pursuant to Chapter 4 (commencing with Section 84100),  
6 to file statements, reports, or other documents in connection with  
7 a state elective office or state measure appearing on the 2000  
8 statewide direct primary ballot, provided that the total cumulative  
9 reportable amount of contributions received, expenditures made,  
10 loans made, or loans received is one hundred thousand dollars  
11 (\$100,000) or more. For the purpose of cumulating totals, the  
12 period covered shall commence January 1, 1999.

13 (2) Any general purpose committees, as defined in Section  
14 82027.5, including the general purpose committees of political  
15 parties, and small contributor committees, as defined in Section  
16 85203, that cumulatively receive contributions or make  
17 expenditures totaling one hundred thousand dollars (\$100,000) or  
18 more to support or oppose candidates for any elective state office  
19 or state measure appearing on the 2000 statewide direct primary  
20 ballot. For the purpose of cumulating totals, the period covered  
21 shall commence January 1, 1999.

22 (3) Any slate mailer organization with cumulative reportable  
23 payments received or made for the purposes of producing slate  
24 mailers of one hundred thousand dollars (\$100,000) or more in  
25 connection with the 2000 statewide direct primary election. For  
26 the purpose of cumulating totals, the period covered shall  
27 commence January 1, 1999.

28 (4) Any lobbyist, lobbying firm, lobbyist employer, or other  
29 persons required, pursuant to Chapter 6 (commencing with Section  
30 86100), to file statements, reports, or other documents, provided  
31 that the total amount of any category of reportable payments,  
32 expenses, contributions, gifts, or other items is one hundred  
33 thousand dollars (\$100,000) or more in a calendar quarter.

34 (b) Filers specified in subdivision (a) shall also continue to file  
35 required disclosure forms in paper format. The paper copy shall  
36 continue to be the official version for audit and other legal  
37 purposes. Committees and other persons that are not required to  
38 file online or electronically by this section may do so voluntarily.

39 (c) The Secretary of State shall also disclose on the Internet any  
40 90-day contribution or 90-day independent expenditure report, as

1 defined by Sections 84203 and 84204, respectively, not covered  
2 by subdivision (a).

3 (d) It shall be presumed that online or electronic filers file under  
4 penalty of perjury.

5 ~~SEC. 33.~~

6 *SEC. 32.* Section 84605 of the Government Code is amended  
7 to read:

8 84605. (a) The following persons shall file online or  
9 electronically with the Secretary of State:

10 (1) Any candidate, including superior court, appellate court,  
11 and Supreme Court candidates and officeholders, committee, or  
12 other persons who are required, pursuant to Chapter 4 (commencing  
13 with Section 84100), to file statements, reports, or other documents  
14 in connection with a state elective office or state measure, provided  
15 that the total cumulative reportable amount of contributions  
16 received, expenditures made, loans made, or loans received is  
17 twenty-five thousand dollars (\$25,000) or more. In determining  
18 the cumulative reportable amount, all controlled committees, as  
19 defined by Section 82016, shall be included. For a committee  
20 subject to this title prior to January 1, 2000, the beginning date for  
21 calculating cumulative totals is January 1, 2000. For a committee  
22 that is first subject to this title on or after January 1, 2000, the  
23 beginning date for calculating cumulative totals is the date the  
24 committee is first subject to this title. A committee, as defined in  
25 subdivision (c) of Section 82013, shall file online or electronically  
26 if it makes contributions of twenty-five thousand dollars (\$25,000)  
27 or more in a calendar year.

28 (2) Any general purpose committees, as defined in Section  
29 82027.5, including the general purpose committees of political  
30 parties, and small contributor committees, as defined in Section  
31 85203, that cumulatively receive contributions or make  
32 expenditures totaling twenty-five thousand dollars (\$25,000) or  
33 more to support or oppose candidates for any elective state office  
34 or state measure. For a committee subject to this title prior to  
35 January 1, 2000, the beginning date for calculating cumulative  
36 totals is January 1, 2000. For a committee that first is subject to  
37 this title on or after January 1, 2000, the beginning date for  
38 calculating cumulative totals is the date the committee is first  
39 subject to this title.

(3) Any slate mailer organization with cumulative reportable payments received or made for the purposes of producing slate mailers of twenty-five thousand dollars (\$25,000) or more. For a slate mailer organization subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a slate mailer organization that first is subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the organization is first subject to this title.

(4) Any lobbyist, lobbying firm, lobbyist employer, or other persons required, pursuant to Chapter 6 (commencing with Section 86100), to file statements, reports, or other documents, provided that the total amount of any category of reportable payments, expenses, contributions, gifts, or other items is two thousand five hundred dollars (\$2,500) or more in a calendar quarter.

(b) The Secretary of State shall also disclose on the Internet any 90-day contribution or 90-day independent expenditure report, as defined by Sections 84203 and 84204, respectively, not covered by paragraph (1), (2), or (3) of subdivision (a) or any other provision of law.

(c) Committees and other persons that are not required to file online or electronically by this section may do so voluntarily.

(d) Once a person or entity is required to file online or electronically, subject to subdivision (a) or (c), the person or entity shall be required to file all subsequent reports online or electronically.

(e) It shall be presumed that online or electronic filers file under penalty of perjury.

(f) Persons filing online or electronically shall also continue to file required disclosure statements and reports in paper format. The paper copy shall continue to be the official filing for audit and other legal purposes until the Secretary of State, pursuant to Section 84606, determines the system is operating securely and effectively.

(g) The Secretary of State shall maintain at all times a secured, official version of all original online and electronically filed statements and reports required by this chapter. Upon determination by the Secretary of State, pursuant to Section 84606, that the system is operating securely and effectively, this online or electronic version shall be the official version for audit and other legal purposes.

1 (h) Except for statements related to a local elective office or a  
2 local ballot measure filed by a candidate for local elective office  
3 who is also a candidate for elective state office, a copy of a  
4 statement, report, or other document filed by online or electronic  
5 means with the Secretary of State shall not be filed with a local  
6 filing officer.

7 ~~SEC. 34.— Section 85301 of the Government Code is amended~~  
8 ~~to read:~~

9 ~~85301. (a) A person, other than a small contributor committee~~  
10 ~~or political party committee, may not make to a candidate for~~  
11 ~~elective state office other than a candidate for statewide elective~~  
12 ~~office, and a candidate for elective state office other than a~~  
13 ~~candidate for statewide elective office may not accept from a~~  
14 ~~person, any contribution totaling more than three thousand nine~~  
15 ~~hundred dollars (\$3,900) per election.~~

16 ~~(b) Except to a candidate for Governor, a person, other than a~~  
17 ~~small contributor committee or political party committee, may not~~  
18 ~~make to a candidate for statewide elective office, and, except a~~  
19 ~~candidate for Governor, a candidate for statewide elective office~~  
20 ~~may not accept from a person other than a small contributor~~  
21 ~~committee or a political party committee, any contribution totaling~~  
22 ~~more than six thousand five hundred dollars (\$6,500) per election.~~

23 ~~(c) A person, other than a small contributor committee or~~  
24 ~~political party committee, may not make to a candidate for~~  
25 ~~Governor, and a candidate for Governor may not accept from a~~  
26 ~~person other than a small contributor committee or political party~~  
27 ~~committee, any contribution totaling more than twenty-six thousand~~  
28 ~~dollars (\$26,000) per election.~~

29 ~~(d) The provisions of this section do not apply to a candidate's~~  
30 ~~contributions of his or her personal funds to his or her own~~  
31 ~~campaign.~~

32 ~~SEC. 35.— Section 85302 of the Government Code is amended~~  
33 ~~to read:~~

34 ~~85302. (a) A small contributor committee may not make to a~~  
35 ~~candidate for elective state office other than a candidate for~~  
36 ~~statewide elective office, and a candidate for elective state office~~  
37 ~~other than a candidate for statewide elective office may not accept~~  
38 ~~from a small contributor committee, any contribution totaling more~~  
39 ~~than seven thousand eight hundred dollars (\$7,800) per election.~~

~~(b) Except to a candidate for Governor, a small contributor committee may not make to a candidate for statewide elective office, and, except for a candidate for Governor, a candidate for statewide elective office may not accept from a small contributor committee, any contribution totaling more than thirteen thousand dollars (\$13,000) per election.~~

~~(c) A small contributor committee may not make to a candidate for Governor, and a candidate for Governor may not accept from a small contributor committee, any contribution totaling more than twenty-six thousand dollars (\$26,000) per election.~~

SEC. 36. Section 85303 of the Government Code is amended to read:

85303. (a) A person may not make to a committee other than a political party committee, and a committee other than a political party committee may not accept, any contribution totaling more than six thousand five hundred dollars (\$6,500) per calendar year for the purpose of making contributions to candidates for elective state office.

~~(b) A person may not make to a political party committee, and a political party committee may not accept, any contribution totaling more than thirty-two thousand five hundred dollars (\$32,500) per calendar year for the purpose of making contributions for the support or defeat of candidates for elective state office. Notwithstanding Section 85312, this limit applies to contributions made to a political party used for the purpose of making expenditures at the behest of a candidate for elective state office for communications to party members related to the candidate's candidacy for elective state office.~~

~~(c) Except as provided in Section 85310, nothing in this chapter shall limit a person's contributions to a committee or political party committee provided the contributions are used for purposes other than making contributions to candidates for elective state office.~~

~~(d) Nothing in this chapter limits a candidate for elective state office from transferring contributions received by the candidate in excess of any amount necessary to defray the candidate's expenses for election-related activities or holding office to a political party committee, provided those transferred contributions are used for purposes consistent with paragraph (4) of subdivision (b) of Section 89519.~~



1     ~~SEC. 37. Section 85316 of the Government Code is amended~~  
2     ~~to read:~~

3     ~~85316. (a) Except as provided in subdivision (b), a contribution~~  
4     ~~for an election may be accepted by a candidate for elective state~~  
5     ~~office after the date of the election only to the extent that the~~  
6     ~~contribution does not exceed net debts outstanding from the~~  
7     ~~election, and the contribution does not otherwise exceed the~~  
8     ~~applicable contribution limit for that election.~~

9     ~~(b) Notwithstanding subdivision (a), an elected state officer~~  
10    ~~may accept contributions after the date of the election for the~~  
11    ~~purpose of paying expenses associated with holding the office~~  
12    ~~provided that the contributions are not expended for any~~  
13    ~~contribution to any state or local committee. Contributions received~~  
14    ~~pursuant to this subdivision shall be deposited into a bank account~~  
15    ~~established solely for the purposes specified in this subdivision.~~

16    ~~(1) No person shall make, and no elected state officer shall~~  
17    ~~receive from a person, a contribution pursuant to this subdivision~~  
18    ~~totaling more than the following amounts per calendar year:~~

19    ~~(A) Three thousand two hundred dollars (\$3,200) in the case of~~  
20    ~~an elected state officer of the Assembly or Senate.~~

21    ~~(B) Five thousand four hundred dollars (\$5,400) in the case of~~  
22    ~~a statewide elected state officer other than the Governor.~~

23    ~~(C) Twenty-one thousand six hundred dollars (\$21,600) in the~~  
24    ~~case of the Governor.~~

25    ~~(2) No elected state officer shall receive contributions pursuant~~  
26    ~~to paragraph (1) that, in the aggregate, total more than the following~~  
27    ~~amounts per calendar year:~~

28    ~~(A) Fifty-three thousand nine hundred dollars (\$53,900) in the~~  
29    ~~case of an elected state officer of the Assembly or Senate.~~

30    ~~(B) One hundred seven thousand nine hundred dollars~~  
31    ~~(\$107,900) in the case of a statewide elected state officer other~~  
32    ~~than the Governor.~~

33    ~~(C) Two hundred fifteen thousand eight hundred dollars~~  
34    ~~(\$215,800) in the case of the Governor.~~

35    ~~(3) Any contribution received pursuant to this subdivision shall~~  
36    ~~be deemed to be a contribution to that candidate for election to~~  
37    ~~any state office that he or she may seek during the term of office~~  
38    ~~to which he or she is currently elected, including, but not limited~~  
39    ~~to, reelection to the office he or she currently holds, and shall be~~  
40    ~~subject to any applicable contribution limit provided in this title.~~

1 If a contribution received pursuant to this subdivision exceeds the  
2 allowable contribution limit for the office sought, the candidate  
3 shall return the amount exceeding the limit to the contributor on  
4 a basis to be determined by the Commission. None of the  
5 expenditures made by elected state officers pursuant to this  
6 subdivision shall be subject to the voluntary expenditure limitations  
7 in Section 85400.

8 SEC. 38.— Section 85400 of the Government Code is amended  
9 to read:

10 85400. (a) A candidate for elective state office, other than the  
11 Board of Administration of the Public Employees' Retirement  
12 System, who voluntarily accepts expenditure limits may not make  
13 campaign expenditures in excess of the following:

14 (1) For an Assembly candidate, five hundred twenty thousand  
15 dollars (\$520,000) in the primary or special primary election and  
16 nine hundred nine thousand dollars (\$909,000) in the general or  
17 special general election.

18 (2) For a Senate candidate, seven hundred eighty thousand  
19 dollars (\$780,000) in the primary or special primary election and  
20 one million one hundred sixty-nine thousand dollars (\$1,169,000)  
21 in the general or special general election.

22 (3) For a candidate for the State Board of Equalization, one  
23 million two hundred ninety-nine thousand dollars (\$1,299,000) in  
24 the primary election and one million nine hundred forty-nine  
25 thousand dollars (\$1,949,000) in the general election.

26 (4) For a statewide candidate other than a candidate for Governor  
27 or the State Board of Equalization, five million one hundred  
28 seventy-nine thousand dollars (\$5,179,000) in the primary election  
29 and seven million seven hundred ninety-five thousand dollars  
30 (\$7,795,000) in the general election.

31 (5) For a candidate for Governor, seven million seven hundred  
32 ninety-five thousand dollars (\$7,795,000) in the primary election  
33 and twelve million nine hundred ninety-two thousand dollars  
34 (\$12,992,000) in the general election.

35 (b) For purposes of this section, "campaign expenditures" has  
36 the same meaning as "election-related activities" as defined in  
37 clauses (i) to (vi), inclusive, and clause (viii) of subparagraph (C)  
38 of paragraph (2) of subdivision (b) of Section 82015.

1     ~~(e) A campaign expenditure made by a political party on behalf~~  
2     ~~of a candidate may not be attributed to the limitations on campaign~~  
3     ~~expenditures set forth in this section.~~

4     ~~SEC. 39. Section 87103 of the Government Code is amended~~  
5     ~~to read:~~

6     ~~87103. A public official has a financial interest in a decision~~  
7     ~~within the meaning of Section 87100 if it is reasonably foreseeable~~  
8     ~~that the decision will have a material financial effect;~~  
9     ~~distinguishable from its effect on the public generally, on the~~  
10    ~~official, a member of his or her immediate family, or on any of~~  
11    ~~the following:~~

12    ~~(a) Any business entity in which the public official has a direct~~  
13    ~~or indirect investment worth two thousand dollars (\$2,000) or~~  
14    ~~more.~~

15    ~~(b) Any real property in which the public official has a direct~~  
16    ~~or indirect interest worth two thousand dollars (\$2,000) or more.~~

17    ~~(c) Any source of income, except gifts or loans by a commercial~~  
18    ~~lending institution made in the regular course of business on terms~~  
19    ~~available to the public without regard to official status, aggregating~~  
20    ~~five hundred dollars (\$500) or more in value provided or promised~~  
21    ~~to, or received by, the public official within 12 months prior to the~~  
22    ~~time when the decision is made.~~

23    ~~(d) Any business entity in which the public official is a director,~~  
24    ~~officer, partner, trustee, or employee, or in which the public official~~  
25    ~~holds any position of management.~~

26    ~~(e) Any donor of, or any intermediary or agent for a donor of,~~  
27    ~~a gift or gifts aggregating two hundred fifty dollars (\$250) or more~~  
28    ~~in value provided to, received by, or promised to the public official~~  
29    ~~within 12 months prior to the time when the decision is made.~~

30    ~~(f) For purposes of this section, indirect investment or interest~~  
31    ~~means any investment or interest owned by the spouse or dependent~~  
32    ~~child of a public official, by an agent on behalf of a public official,~~  
33    ~~or by a business entity or trust in which the official or the official's~~  
34    ~~agents, spouse, or dependent children own directly, indirectly, or~~  
35    ~~beneficially a 10-percent interest or greater.~~

36    ~~SEC. 40. Section 87406 of the Government Code is amended~~  
37    ~~to read:~~

38    ~~87406. (a) This section shall be known, and may be cited, as~~  
39    ~~the Milton Marks Postgovernment Employment Restrictions Act~~  
40    ~~of 1990.~~

1 (b) ~~No Member of the Legislature, for a period of one year after~~  
2 ~~leaving office, and no designated employee of the Legislature, for~~  
3 ~~a period of one year after leaving his or her employment with the~~  
4 ~~Legislature, shall, for compensation, act as agent or attorney for,~~  
5 ~~or otherwise represent, any other person by making a formal or~~  
6 ~~informal appearance, or by making an oral or written~~  
7 ~~communication, before the Legislature, a committee or~~  
8 ~~subcommittee thereof, a current Member of the Legislature, or an~~  
9 ~~officer or employee thereof, if the appearance or communication~~  
10 ~~is made for the purpose of influencing legislative action.~~

11 (c) ~~No elected state officer, other than a Member of the~~  
12 ~~Legislature, for a period of one year after leaving office, shall, for~~  
13 ~~compensation, act as agent or attorney for, or otherwise represent,~~  
14 ~~any other person by making a formal or informal appearance, or~~  
15 ~~by making an oral or written communication, before a state~~  
16 ~~administrative agency, or an officer or employee thereof, if the~~  
17 ~~appearance or communication is for the purpose of influencing~~  
18 ~~administrative action or influencing an action or proceeding~~  
19 ~~involving the issuance, amendment, awarding, or revocation of a~~  
20 ~~permit, license, grant, or contract, or the sale or purchase of goods~~  
21 ~~or property. For purposes of this subdivision, an appearance before~~  
22 ~~a “state administrative agency” does not include an appearance in~~  
23 ~~a court of law, before an administrative law judge, or before the~~  
24 ~~Workers’ Compensation Appeals Board.~~

25 (d) ~~(1) No designated employee of a state administrative agency,~~  
26 ~~an officer, employee, or consultant of a state administrative agency~~  
27 ~~who holds a position that entails the making, or participation in~~  
28 ~~the making, of decisions that may foreseeably have a material~~  
29 ~~effect on a financial interest, and no member of a state~~  
30 ~~administrative agency, for a period of one year after leaving office~~  
31 ~~or employment, shall, for compensation, act as agent or attorney~~  
32 ~~for, or otherwise represent, any other person by making a formal~~  
33 ~~or informal appearance, or by making an oral or written~~  
34 ~~communication, before a state administrative agency, or an officer~~  
35 ~~or employee thereof, for which he or she worked or that he or she~~  
36 ~~represented during the 12 months before leaving office or~~  
37 ~~employment, if the appearance or communication is made for the~~  
38 ~~purpose of influencing administrative or legislative action, or~~  
39 ~~influencing an action or proceeding involving the issuance,~~  
40 ~~amendment, awarding, or revocation of a permit, license, grant,~~

1 or contract, or the sale or purchase of goods or property. For  
2 purposes of this paragraph, an appearance before a state  
3 administrative agency does not include an appearance in a court  
4 of law, before an administrative law judge, or before the Workers'  
5 Compensation Appeals Board. The prohibition of this paragraph  
6 only applies to designated employees employed by a state  
7 administrative agency on or after January 7, 1991.

8 (2) For purposes of paragraph (1), a state administrative agency  
9 of a designated employee of the Governor's office includes any  
10 state administrative agency subject to the direction and control of  
11 the Governor.

12 (e) The prohibitions contained in subdivisions (b), (c), and (d)  
13 do not apply to an individual subject to this section who is or  
14 becomes any of the following:

15 (1) An officer or employee of another state agency, board, or  
16 commission if the appearance or communication is for the purpose  
17 of influencing legislative or administrative action on behalf of the  
18 state agency, board, or commission.

19 (2) An official holding an elective office of a local government  
20 agency if the appearance or communication is for the purpose of  
21 influencing legislative or administrative action on behalf of the  
22 local government agency.

23 (f) This section shall become operative on January 1, 1991, but  
24 only if Senate Constitutional Amendment No. 32 of the 1989-90  
25 Regular Session is approved by the voters. With respect to  
26 Members of the Legislature whose current term of office on  
27 January 1, 1991, began in December 1988, this section shall not  
28 apply until January 1, 1993.

29 SEC. 41. Section 89503 of the Government Code is amended  
30 to read:

31 89503. (a) An elected state officer, elected officer of a local  
32 government agency, or other individual specified in Section 87200  
33 shall not accept gifts from any single source in a calendar year  
34 with a total value of more than two hundred fifty dollars (\$250).

35 (b) (1) A candidate for elective state office, for judicial office,  
36 or for elective office in a local government agency shall not accept  
37 gifts from any single source in a calendar year with a total value  
38 of more than two hundred fifty dollars (\$250). A person is a  
39 candidate for purposes of this subdivision when the person has  
40 filed a statement of organization as a committee for election to a

1 ~~state or local office, a declaration of intent, or a declaration of~~  
2 ~~candidacy, whichever occurs first. A person is not a candidate for~~  
3 ~~purposes of this subdivision after he or she is sworn into the~~  
4 ~~elective office, or, if the person lost the election, after the person~~  
5 ~~has terminated his or her campaign statement filing obligations~~  
6 ~~for that office pursuant to Section 84214 or after certification of~~  
7 ~~the election results, whichever occurs earlier.~~

8 ~~(2) Paragraph (1) shall not apply to a person who is a candidate~~  
9 ~~as described in paragraph (1) for judicial office on or before~~  
10 ~~December 31, 1996.~~

11 ~~(c) A member of a state board or commission or designated~~  
12 ~~employee of a state or local government agency shall not accept~~  
13 ~~gifts from any single source in a calendar year with a total value~~  
14 ~~of more than two hundred fifty dollars (\$250) if the member or~~  
15 ~~employee would be required to report the receipt of income or~~  
16 ~~gifts from that source on his or her statement of economic interests.~~

17 ~~(d) This section shall not apply to a person in his or her capacity~~  
18 ~~as judge. This section shall not apply to a person in his or her~~  
19 ~~capacity as a part-time member of the governing board of a public~~  
20 ~~institution of higher education unless that position is an elective~~  
21 ~~office.~~

22 ~~(e) This section shall not prohibit or limit the following:~~

23 ~~(1) Payments, advances, or reimbursements for travel and related~~  
24 ~~lodging and subsistence permitted by Section 89506.~~

25 ~~(2) Wedding gifts and gifts exchanged between individuals on~~  
26 ~~birthdays, holidays, and other similar occasions, provided that the~~  
27 ~~gifts exchanged are not substantially disproportionate in value.~~

28 ~~(f) The limitations on gifts in this section are effective beginning~~  
29 ~~on January 1, 2012.~~

30 ~~(g) The limitations in this section are in addition to the~~  
31 ~~limitations on gifts in Section 86203.~~

32 ~~SEC. 42.~~

33 ~~SEC. 33.~~ Section 91013 of the Government Code is amended  
34 to read:

35 91013. (a) If a person files an original statement or report after  
36 the applicable deadline imposed by this title, he or she shall, in  
37 addition to any other penalties or remedies established by this title,  
38 be liable in the amount of twenty-five dollars (\$25) per day after  
39 the deadline until the statement or report is filed, to the officer  
40 with whom the statement or report is required to be filed. Liability

1 need not be enforced by the filing officer if, on an impartial basis,  
2 he or she determines that the late filing was not willful and that  
3 enforcement of the liability will not further the purposes of this  
4 title, except that no liability shall be waived if a statement or report  
5 is not filed within 30 days for a statement of economic interests,  
6 other than a candidate's statement filed pursuant to Section 87201,  
7 five days for a campaign statement required to be filed 16 days  
8 before an election, and 10 days for all other statements or reports,  
9 after the filing officer has sent specific written notice of the filing  
10 requirement.

11 (b) If a person files a copy of a statement or report after the  
12 applicable deadline imposed by this title, he or she shall, in addition  
13 to any other penalties or remedies established by this title, be liable  
14 in the amount of twenty-five dollars (\$25) per day, starting 10  
15 days, or five days in the case of a campaign statement required to  
16 be filed 16 days before an election, after the filing officer has sent  
17 specific written notice of the filing requirement and until the  
18 statement or report is filed.

19 (c) For purposes of this section, a campaign statement or report  
20 submitted on behalf of a committee is not deemed filed if the  
21 treasurer of the committee is not currently certified pursuant to  
22 Section 84100.

23 (d) The filing officer shall deposit any funds received under this  
24 section into the general fund of the jurisdiction of which he or she  
25 is an officer. No liability under this section shall exceed 150 percent  
26 of the cumulative amount stated in the late statement or report, or  
27 seven hundred fifty dollars (\$750), whichever is greater.

28 (e) Notwithstanding Section 89513 or 89514 or any other  
29 provision of this title, a candidate or elected officer shall not use  
30 campaign funds to pay a fine imposed on him or her pursuant to  
31 this section for failure to file timely a statement of economic  
32 interests.

33 ~~SEC. 43.~~

34 *SEC. 34.* (a) It is the intent of the Legislature to develop a  
35 single, statewide electronic filing system that consolidates the  
36 filing of all state and local campaign statements and reports  
37 required by the Political Reform Act of 1974 (Title 9 (commencing  
38 with Section 81000) of the Government Code) into one searchable  
39 database that provides for, but is not limited to, all of the following:

- 40 (1) Electronic filing of committee organization statements.

1 (2) Electronic filing of campaign statements by all state  
2 committees, without regard to the amounts of contributions and  
3 expenditures.

4 (3) Electronic filing of reports by all major donors at the state  
5 and local levels when specified thresholds are met.

6 (4) A consolidated statewide network that includes a process to  
7 import into the statewide database state-required committee  
8 disclosures from each local jurisdiction that has its own electronic  
9 filing system.

10 (5) A statewide, Internet Web-based database with expanded  
11 filing and public search capabilities that are data-driven and  
12 user-friendly for all members of the public.

13 (b) The Secretary of State and the Fair Political Practices  
14 Commission shall jointly work toward development of the  
15 electronic filing system described in subdivision (a) as follows:

16 (1) Not later than December 31, 2013, the Secretary of State  
17 and the Commission shall develop a feasibility study report that  
18 will outline the technology requirements and the costs of the  
19 electronic filing system.

20 (2) The Secretary of State and the Commission shall develop a  
21 funding plan that includes a comprehensive and detailed project  
22 budget that will be accurate through the duration of the project  
23 and will include appropriate and reasonable contingencies. The  
24 funding plan shall describe proposals for raising funds for  
25 development of the electronic filing system, including grants from  
26 private and public sources, federal funds, state appropriations, and  
27 fees charged to filers of committee organization statements and  
28 campaign statements.

29 (3) The Secretary of State and the Commission shall engage in  
30 fundraising pursuant to the plan developed pursuant to paragraph  
31 (2) and pursuant to the Commission's authority to accept funding  
32 under Section 83117 of the Government Code.

33 (4) Not later than December 31, 2017, the Secretary of State  
34 and the Commission shall complete work on the development,  
35 construction, and launch of the electronic filing system described  
36 by this section.

37 ~~SEC. 44.~~

38 *SEC. 35.* No reimbursement is required by this act pursuant to  
39 Section 6 of Article XIII B of the California Constitution because  
40 the only costs that may be incurred by a local agency or school



1 district will be incurred because this act creates a new crime or  
2 infraction, eliminates a crime or infraction, or changes the penalty  
3 for a crime or infraction, within the meaning of Section 17556 of  
4 the Government Code, or changes the definition of a crime within  
5 the meaning of Section 6 of Article XIII B of the California  
6 Constitution.

7 ~~SEC. 45.~~

8 *SEC. 36.* The Legislature finds and declares that this bill  
9 furthers the purposes of the Political Reform Act of 1974 within  
10 the meaning of subdivision (a) of Section 81012 of the Government  
11 Code.

O